United Nations S/AC.50/2007/17

Security Council

Distr.: General
2 March 2007
English
Original: French

Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 21 February 2007 from the Permanent Mission of France to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of France to the United Nations presents its compliments to the Chairman of the Committee established pursuant to resolution 1737 (2006) and has the honour to transmit the report of France under paragraph 19 of resolution 1737 (2006) on the steps taken by the Government of France to implement effectively the provisions of paragraphs 3, 4, 5, 6, 7, 8, 12 and 17 of that resolution (see annex).

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Annex to the note verbale dated 21 February 2007 addressed to the Chairman of the Committee by the Permanent Mission of France to the United Nations

Report of France to the Security Council Committee established pursuant to resolution 1737 (2006)

In paragraph 19 of its resolution 1737 (2006) of 23 December 2006, the Security Council "*Decides that all States shall report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 4, 5, 6, 7, 8, 10, 12 and 17 [of this resolution]*".

In accordance with those provisions, France wishes to bring to the attention of the Committee established pursuant to resolution 1737 (2006) the following information on the steps taken in order to ensure full implementation of that resolution.

Implementation of the resolution by the member States of the European Union gives rise, in the case of some provisions, to European measures (common position and Community regulation) and, in the case of others, to national measures.

On 12 February 2007, the Council of the European Union gave its political endorsement to a common position comprising the following restrictive measures against Iran:

- An embargo on all sensitive goods and technologies listed by the Nuclear Suppliers Group and the Missile Technology Control Regime;
- Measures of prohibition on entry into and transit through the territory of the member States of the European Union and measures to freeze the financial assets of persons or entities listed in resolution 1737 (2006), as well as the possibility for the European Union to add to the list the names of other persons or entities associated with Iran's nuclear and ballistic programmes;
- A commitment to prevent all training or teaching for Iranian nationals in disciplines related to these programmes.

A community implementing regulation is now under discussion.

1. Embargo on items, materials, equipment, goods and technology which could contribute to nuclear and delivery system programmes

The export from France of nuclear dual-use goods or of Category II items of the Missile Technology Control Regime is subject to a regime for the control of exports in accordance with amended Council Regulation (EC) No. 1334/2000, which is supplemented at the national level by Decree No. 2001-1192 of 13 December 2001 relating to control of the export, import and transfer of dual-use goods and technology.

Re-exports of dual-use items which have the status of non-Community goods likewise require authorization. Accordingly, non-Community goods imported into the territory of the European Community require authorization for re-export, whether in their original state or as a component of a larger unit.

All French Government agencies responsible for export control have been notified of resolution 1737 (2006). Consequently, no licence can be issued for the export to Iran of dual-use nuclear or ballistic items, equipment, goods and technology referred to in resolution 1737 (2006).

2. Vigilance in regard to the movements of persons involved in nuclear and ballistic programmes and notification requirement with regard to the movements of certain officials listed in the annex to the resolution

Since the adoption of resolution 1696 (2006), the French consular authorities have exercised heightened vigilance in regard to visa applications submitted by Iranian nationals potentially associated with nuclear and delivery system programmes.

Since 26 December 2006, the French authorities have alerted all French consular offices around the world and circulated to them the list of persons covered by resolution 1737 (2006). No visas will be granted to these individuals, subject to the exceptions duly provided for by resolution 1737 (2006).

3. Freezing of financial assets and economic resources and prohibition of funding

A European Union Council regulation on the subject will be adopted shortly. On 8 February 2007, as an interim measure, the Prime Minister issued Decree No. 2007-169, regulating financial relations with Iran, on the proposal of the Minister of the Economy, Finance and Industry. Under this decree, the following are subject to the prior authorization of the Minister of the Economy:

- Currency transactions, capital flows and payments of all kinds between France and foreign countries carried out by or on behalf of the natural and legal persons mentioned in resolution 1737 (2006) or controlled by them;
- The constitution and liquidation of investments in France by and for the natural and legal persons mentioned in resolution 1737 (2006) or controlled by them.

No authorization will be granted to the entities and persons listed.

4. Ban on the provision of all financial assistance, financial services and investment related to goods and technology prohibited by operative paragraphs 3 and 4 of the resolution

A regulation of the Council of the European Union is under discussion which would provide a directly applicable legal basis for prohibiting the provision, by private economic actors, of the financial services mentioned in the resolution.

In regard to State credit insurance policy, Coface has established a warning system at the request of the Ministry of the Economy, Finance and Industry as part of the credit insurance policy for 2007. Henceforth, enterprises wishing to export goods to Iran which apply to Coface for credit insurance must sign a document undertaking to comply with the specific regulations on exports of dual-use goods and technology. Failure to report that goods, services or technology in respect of which the credit insurance application is made could be intended for or contribute to Iran's nuclear or ballistic programmes will entail loss of rights under the credit insurance policy.

5. Vigilance on the part of States in order to prevent Iranian nationals from benefiting from postgraduate training which could contribute to Iran's nuclear and missile programmes

In order to prevent the transfer of knowledge or expertise that could be used in connection with proliferation programmes, Interministerial Instruction No. 486 of 1 March 1993 requires all heads of institutions that are subject to a strict security regime or controlled access to seek authorization from the senior clearance officer of the relevant ministry in order to admit a visitor or trainee who is not a national of the European Union. No authorization will be granted for Iranian nationals wishing to undergo training in such an institution, if the latter is linked to the nuclear or missile fields.

Activities are under way to make all security and clearance officials in the relevant institutions aware of the adoption of resolution 1737 (2006) so as to inform them of the need:

- To be particularly strict in applying Interministerial Instruction No. 486 to Iranian nationals;
- To identify any Iranian nationals attending their institutions prior to the adoption of the resolution;
- To be watchful for, and to prevent, the development of cooperation in sensitive areas between the institution under their responsibility and Iranian institutions;
- To urge the scientific community to be cautious in accepting invitations from Iranian research institutions.

Moreover, since the adoption of resolution 1696 (2006), French consular authorities have exercised heightened vigilance in regard to long-stay visa applications for studies in France submitted by Iranian nationals.